The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a	RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER	The state of the s	
	of Canton Railroad, 15th District : OF BALTIMORE COUNTY		
	EUGENE J. KEARY, et ux, : Case No. 84-81-A		
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the	Petitioners	BALTIMORE COUNTY	BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
following reasons: (indicate hardship or practical difficulty)  We request to build a one story masonry addition along the east and south property lines as indicated on drawing, to achieve maximum expansion.	ORDER TO ENTER APPEARANCE		
We request the above variance because of the site limitations.	Mr. Commissioner:		September 13, 1983
O TG 2/70 TYPE	Pursuant to the authority contained in Section 524.1 of the Baltimore County	ZONING PLANS	111 W. Chesapeake Ave. Towson, Maryland 21204  Mr. & Mrs. Eugene J. Keary 7215 Rolling Mill Road Politiments Named 1
HEARING. A	Charter, I hereby enter my appearance in this proceeding. You are requested to notify		Baltimore, Maryland 21224  Nicholas B. Commodari  RE: Item No. 270 - Case No. 84-81-A
	% me of any hearing date or dates which may be now or hereafter designated therefor,	ADVISORY COMMITTEE	Petitioner - Eugene J. Keary, et ux Variance Petition
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.	and of the passage of any preliminary or final Order in connection therewith.		Dear Mr. & Mrs. Keary:
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property	Fiter Max Zeminerone - John 70 Merice Tr		The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The
which is the subject of this Petition.	Peter Max Zimmerman hn W. Hessian, III Deputy People's Counsel Fuople's Counsel for Baltimore County		State Roads Commission priateness of the zoning action requested but to accura
Contract Purchaser:  Legal Owner(s):  Eugene J. Keary	Rm. 223, Court House  Towson, Maryland 21204	TOPE CO	regard to the development plans that may have a bearing on this case. The Director of Planning may file a written
(Type or Print Name) (Type or Print Name)	494–2188		Project Planning report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.
Signature	I HEREBY CERTIFY that on this 26th day of August, 1983, a copy of the foregoing		In view of your proposal to construct an addition to the rear of the existing building within 0' of the side
Address (Type or Print Name)	Order was mailed to Mr. and Mrs. Eugene J. Keary, 7215 Rolling Mill Road, Baltimore,	WRYLAND	Industrial Development and leaf property lines, this hearing is required.
Car and State Signature	MD 21224, Petitioners; and Mr. John M. Hilliard, Architect, 16 W. 25th Street,		As indicated in my conversation with Mr. Hilliard, your architect, contact should be made with the Public Service Commission, Transportation Department, concerning
Attorney for Petitioner:	Baltimore, MD 21218.		your proposal and any possible conflicts that may arise with the railroad as a result of the proposed construction.
Address Phone No.	July 70. Design		Enclosed are all comments submitted from the members of the Committee at this time that offer or request information.
Gramme City and State	John W. Hessian, III	PETITION AND SITE PLAN	remaining members are received. I will forward them to you
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  John M. Hilliard - Architect			Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled.
Oit and State Name			nearing scheduled accordingly.
Attorney's Telephone No.:  16 W. 25th St Balto. 467-7771  Address Phone No.		EVALUATION COMMENTS	Very truly yours, Richelas B Connadari, doc
ORDERED By The Zoning Commissioner of Baltimore County, this15th day			NICHOLAS B. COMMODARI, Chairman Zoning Plans Advisory Committee NBC:bsc
ofAugust, 19_83_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that prope be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore Count in Room 106, County Office Building in Towson, Baltimore			Enclosures cc: Mr. John M. Hilliard
Commissioner of Baltimore Count in Room 106, County Office Building in Towson, Baltimore  County, on the21stday of _September, 19.83 , at 11:00 o'clock			16 W. 25th Street Baltimore; Md. 21218
A_M.			
Zoning Commissioner of Baltimore County.			
(over)			
		BALTIMORE COUNTY, MARYLAND	BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 494-3900
		INTER-OFFICE CORRESPONDENCE	TED TOTAL
		William E. Hammond, Zoning Commissioner	DIRECTOR  Mr. Villiam B. Hazmond, Zoning Commissi year Office of Planning and Zoning
ापा 🗸	BALTIMORE COUNTY	TO Office of Planning and Zoning Date July 20, 1983  FROM Ian J. Forrest	County Office Building Towson, Haryland 21204
BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204	BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550	SURJECT Zoning Variance Items	Dear Mr. Hammond  Comments on Item # 270 Zoning Advisory Committee Meeting June 21, 1983  are as follows:
	STEPHEN E. COLLINS		Property Owner: Eugene J. & Mary T. Keary Location: SE-S Rolling Mill Rd LO7 CO1 S W Snew contaction C. L. D. C.
HARRY J. PISTEL, P. E. DIRECTOR July 22, 1983	DIRECTOR July 28, 1983		Proposed Zoning: W.H.  Proposed Zoning: Variance to permit side & rear yard setbacks of 0' in lieu of the required 30'.
Mr. William E. Hammond	Mr. William Hammond	The Baltimore County Department of Health has reviewed the	. Acres: 0.5099 District: 15
Zoning Commissioner County Office Building Towson, Maryland 21204	Zoning Commissioner County Office Building	following zoning items, and does not anticipate any health hazards at this time.	The items checked below are applicable:  All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged;
Re: Item #270 (1982-1983)	Towson, Maryland 21204	Item #269 - Worcester Manufacturing Co.	and other applicable Codes.  A building/and other miscellaneous permits shall be required before beginning construction.
Property Owner: Eugene J. & Mary T. Keary S/ES Rolling Mill Rd. 407.50' S/W from center- line Canton Railroad	Item No. 269, (270) 272, 273, and 274  Property Owner:	Item #270 - Eugene J. & Mary T. Keary	C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer real is/is not required.
Acres: 0.5099 District: 15th	Location: Existing Zoning: Proposed Zoning:	Item #272 - Joseph & Theresa Vach	D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a parait application.
Dear Mr. Hammond:  The following comments are furnished in regard to the plat submitted to this		Item #273 - Henry H. & Dorothy M. Atkins, Jr.	an exterior wall erected within 6'0 of an adjacent lot line shall be of one hour
office for review by the Zoning Advisory Committee in connection with the subject item.			Section 1407 and Table 1402.
General:	Acres: District:	AQQ	P. Requested variance conflicts with the Baltimore County Building Code, Section/s  G. A change of occupancy shall be applied for, along with an alteration permit
Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement 156507, executed in conjunction with the development of "Canton Industrial Center", of which this property is a part.	Dear Mr. Hammond:	Tan James	application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
Rolling Mill Road, an existing public road, is proposed to be further improved	The Department of Traffic Engineering has no comments for	lan-J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES	H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can
as a 48-foot closed section roadway on a 70-foot right-of-way.  Development of this property through stripping, grading and stabilization	item numbers 269, 270, 272, 273, and 274.	. IJF/fth .	classification of Table 401.
could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all			Commute: Show handicapped parking, signs, curb cuts, walks, building access, etc., in compliance with State Handicapped Code.
grading, including the stripping of top soil.  The Petitioner must provide necessary drainage facilities (temporary or	Michael S. Flanigan Traffic Engineer Assoc. II		
permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem	MSF/ccm		MOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.  If desired, additional information may be obtained by visiting Room #122
which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Politioner.			(Plans Review) at 111 West Chesapeake Ave., 21204

PETITION FOR ZONING VIRIANCE 84-81-A

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 270 (1982-1983).

RAM: EAM: FWR:ss

Bureau of Public Services

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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Charles B. Burnham, Chief Plans Review

POIDL 01-62

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this -------, 19---, that the herein Petition for Variance(s) to permit

The state of the s

BALTIMORE COUNTY PUBLIC SCHOOLS

Towson, Maryland - 21204

Date: June 20, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Robert Y. Dubel, Superintendent

Z.A.C. Meeting of: June 21, 1983

RE: Item No: 269, 270, 271, 272, 273, 274 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon Zoning Commissioner August 25, 1983 Norman 7. Gerber, Director Office of Planning and Zoning

Eugene J. Keary

et ux 84-81-A

This office cannot support the requested variance. The site is, relatively speaking, regular in shape; there appears no indication of severe topographical considerations.

Director of Planning and Zoning

NEG:JGH:cav

IN RE: PETITION ZONING VARIANCES BEFORE THE SE/S of Rolling Mill Road, 407.5' SE of Canton Railroad - \* ZONING COMMISSIONER 15th Election District OF BALTIMORE COUNTY Eugene J. Keary, et ux, Case No. 84-81-A Petitioners

\* \* \* \* \* \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit side and rear yard setbacks of zero feet instead of the required 30 feet. The purpose of their request is to allow for an addition of 30' x 155' to the Petitioners' existing building, as more fully described on Petitioners' Exhibit 1.

The Petitioners were represented by their son, Wayne Keary, and testimony was presented by John M. Hilliard, their architect. There were no Protestants. Testimony indicated, and was uncontested, that the property is owned by the Petitioners, zoned M.H., and is used for their advertising business. Due to the need to expand, the Petitioners wish to add a tuilding 30' x 155', 4,650 square feet, which would abut their property lines to the rear and to the side, as shown ditioners' Exhibit 1. Therefore, there is a need for variances. Testimony Me Hilliard was that it would be structurally unfeasible to build an addition than that planned. The addition would not have any entrance or exit oth-

from the interior of the existing building. It would not disrupt traffic and would not be contrary to the existing character of the neighborhood. In act one neighbor, General Foods, to the southwest of the Petitioners, has built is property line. There is a vacant lot to the east of the Petitioners that for all practical purposes cannot be utilized for building. To the south of the etitioners is the Canton Railroad, and they have expressed no opposition to the proposed addition.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23 J day of September, 1983, that the Petition for Variances to permit side and rear yard setbacks of zero feet instead of the required 30 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

> 1. The Petitioners may apply for their building permit, and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that their proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > - 3 -

BEGINNING for the same at a 3/4 inch pipe set on the southeast side of Rolling Mill Road, as shown on the plat of "Canton Center" recorded among the Land Records of

Baltimore County in Plat Book O.T.G. 31, page 72, at the distance of 407.50 feet

as measured southwesterly along said southeast side of Rolling Mill Road from its

intersection with the northwest line of the right of way of the Canton Railroad,

sixty feet wide, as shown on said plat, running thence, binding on said southeast

line of said right of way, thence binding on the northwest line of said right of way, (3) N 61° 44° 30" E 195.00 feet to a 3/4 inch pipe set, and thence for a new line of division, (4) N 28° 15' 30" W 93.05 feet to the place of beginning.

CONTAINING 0.5099 of an acre of land. /

side of Rolling Mill Road, (1) Southwesterly, by a curve to the left with the radius

of 7600.00 feet, the distance of 199.23 feet, which are is subtended by a chord bearing 3 73° 33° 21" w 199.22 feet, to a 3/4 inch pipe set, thence for a new line of division, (2) S 28° 15' 30" E 133.85 feet to a 3/4 inch pipe set on the northwest

PETITION FOR VARIANCES

15th Election District

ZONING: Petition for Variances

LOCATION:

Southeast side Rolling Mill Road, 407.5 ft. Southeast of Canton Railroad

DATE & TIME:

Wednesday, September 21, 1983 at 11:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit side and rear yard setbacks of 0 ft. instead of the required 30 ft.

The Zoning Regulation to be excepted as follows: Section 258.1 (238.2) - side and rear yard setbacks in M.H. zone

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Eugene J. Keary, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome: 2. whether the grant would do substantial injustice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured, Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). It is clear from the testimony that if the variances were to be granted, such

The Petitioners seek relief from Section 258.1 (238.2), pursuant to Section

An area variance may be granted where strict application of the zoning regu-

lation to the petitioner and his property would cause practical difficulty. McLean

v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance,

use as proposed would not be contrary to the spirit of the regulations, and would not qesult in substantial detriment to the public good.

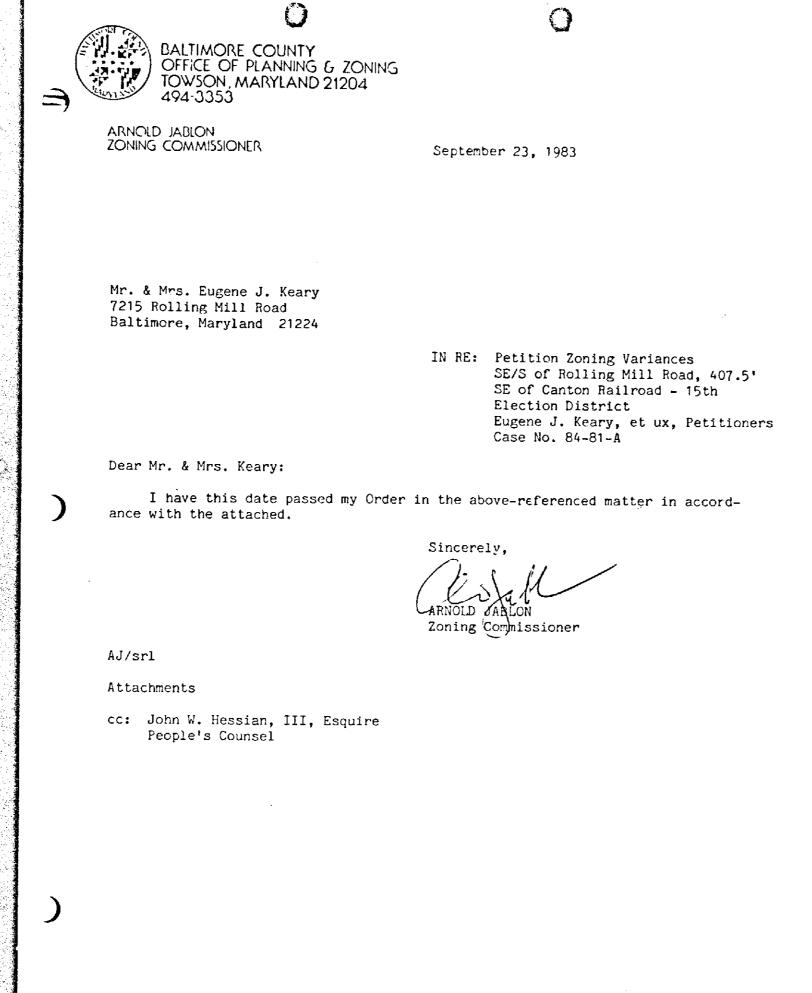
307, of the Baltimore County Zoning Regulations (BCZR).

the petitioner must meet the following:

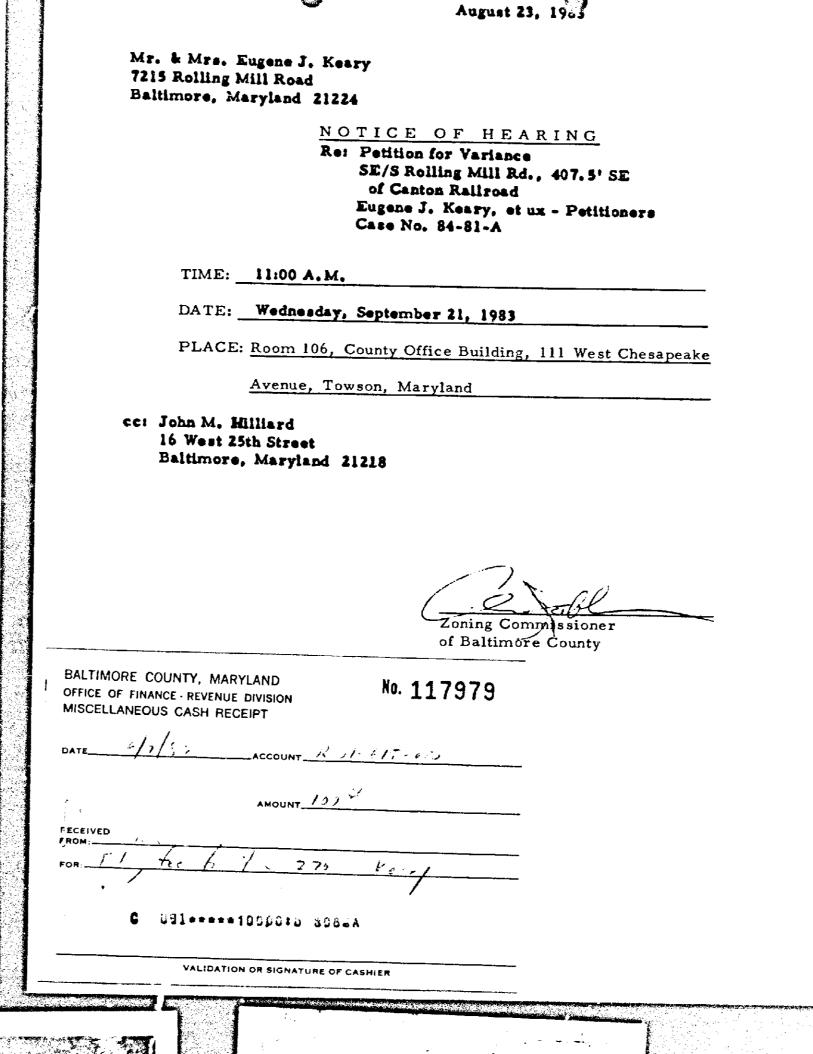
ter due consideration of the testimony and evidence presented, it is clear that appractical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirements the titioners seek relief from here would unduly restrict the use of the land the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons above given, the variances requested should

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en enterior totales de la como este en entere en enter	BALTIMORE COUNTY OFFICE OF PLANNING & ZONIN TOWSON, MARYLAND 21204 494-3353	<b>(</b> G		
ACCEPTABLE OF THE CO.	ARNOLD JABLON ZONING COMMISSIONER			
Andread (2) no fine of		Septemb	or 14, 1983	
den. "" im get det det det stelle en soldte de de	Mr. & Mrs. Eugene J. Keary 7215 Rolling Mill Road Baltimore, Maryland 21224			
more than the second of the se		Re: Petition for Var SE/S Rolling M Canton Rail: Case No. 84-81	iii Rd., 407.5' SE road	of t
**************************************	Dear Mr. & Mrs. Keary:			
in de la completa de	This is to advise you that of the above property. This fee m	\$89.00 is due fo	r advertising and p n Order is issued.	posting
is the second design of the second	Please make the check pay remit to Mrs. Arlene January, Zo Towson, Maryland 21204, before	oning Office, Room l	ounty, Maryland, a 13, County Office	and Building,
		Sincerel	у,	
e de la companya de l			Sell	
a):	No.		JABLON Commissioner	
BALTI	MORE COUNTY, MARYLAND NO.  E OF FINANCE - REVENUE DIVISION  ELLANEOUS CASH RECEIPT			
. *	9/22/83 ACCOUNT_R=01-615-0	00		
	AMOUNT \$89.00			
	EIVED Keary Advertising Company, Inc.	Α		
FRC FO	Advertising & Posting Case	- <u>-</u>		
्रालकु (क्रम्पासके	G 817*****	8910:0 822#A		
in the same of the	VALIDATION OR SIGNATURE OF CASHI	ER		
	PETITION FOR VARIANCE			PETITION FOR V
	5th Election District Company of the			ZONING: Petition for LOCATION: Southess Mill Road, 407.5 ft Canton Railroad
All or opposition of the	Railroad To Southeast of Canton			DATE & TIME: We tember 21, 1983 at 1 PUBLIC HEARING County Office But
	DATE & TIME: Wednesday, September 21, 9183 at 11:00 A.M. PUBLIC HEARING Room 106, County			Chesapenke Avenue Maryland The Zoning Commis
ते <b>, मे</b> ण्डात पर ४	Avenue, Towson, Maryland The Zoning Commissioner of Raltimore			timore County, by an Zoning Act and Regultimore County, will
in the state of th	County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:	, !		hearing: Pelition for Varia side and rear yard se instead of the require
try a constitu	Petition for Variance to permit side and rear yard setbacks of n m	z.,		The Zoning Regula cepted as follows: Section 258.1 (238.2)- yard setbacks in M.I
See Little Constitution and	The Zoning Regulation to be excepted as follows:			All that parcel of he teenth District of Ba Beginning for the
Substance of the substa	Section 258.1 (238.2) - side and rear	; •		inch pipe set on the



THE SECOND SECON



Mr. & Mrs. Eugene J. Keary 7215 Rolling Mill Road Baltimore, Md. 21224

Mr. John M. Hilliard 16 W. 25th Streat Baltimore, Md. 21218

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 15th day of August, 1983.

Zoning Commissioner Petitioner Eugene J. Keary, et ux Received by: Micholas B. Commodari
Attorney Chairman, Zoning Plans
Advisory Committee

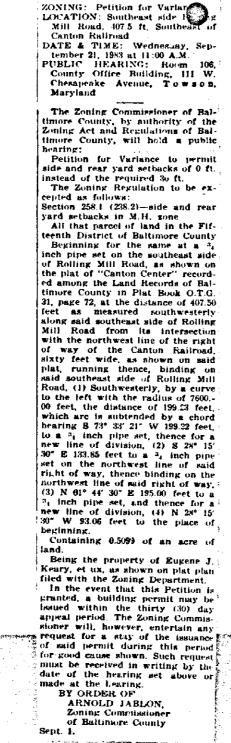
> 84-81-A 0

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

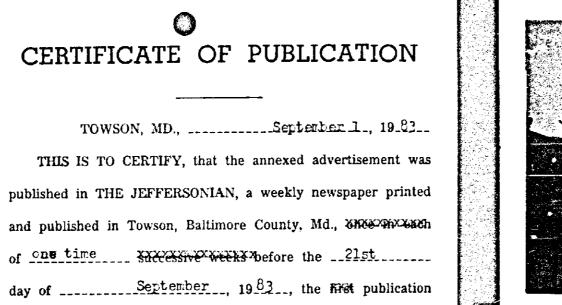
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Petitioner: 4/1/19	1 A
Location of property: 57 /5 Rolling 173	211 C.A., 407.5
Petitioner: 911212 Description of property: 15 Action of Carlos C	# 7215 Hllering

yard setbacks in M.H. zone All that parcel of land in the Fifteenth District of Baltimore County
BEGINNING for the same at % inch pipe set on the southeast side of Rolling Mill Rd., as shown on the plat of "Canton Center" recorded among the Land Records of Baltimore County in Plat Book 0.T.G. 31, page 72, at the distance of 407.50 feet as measured southwesterly along said southeast side of Rolling Mill Rd. from its intersection with the northwest line of the right of way of the Canton Railroad. surty feet wide, as shown on said plat, running thence, binding on said southeast side of Rolling Mill Rd. (1) Southwesterly, by a curve left with the radius of 7600.00 feet the distance of 19923 feet, which arc is subtended by a chord bearing \$ 73e 33 21" W 199.22 feet, to a % inch pipe set, thence for a new line of division. (2) S 280 15' 30" E 133.85 feet to a ¼ inch pipe set on the northwest line of said right of way, thence binding on the northwest line of said right of way. (3) N 61a 44" 30" E 195.00 feet to a % inch pipe set, and thence for a new line of the sion, (4) N 28a 15' 30" W 93.06 feet to the place of beginning CONTAIN-ING 0.5099 of an acre of land. Being the property of Eugene J. Keary, et uc. as shown on plat plan filed with the Zoning Department, In the event that this Petition is granted, a building permit may be a issued within the thirty (30) day appeal period. The Zoning Commis-sioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the BY ORDER OF

ARNOLD LABLON ZONING COMMISSIONER OF BALTIMGRE COUNTY



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\_ day of \_\_\_\_\_September\_\_

THE JEFFERSONIAN, Cost of Advertisement, \$ \_ 2 & 06

